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REPORT OF THE SECRETARY-GENERAL ON DEVELOPMENTS IN GUINEA-BISSAU AND ON THE ACTIVITIES OF THE UNITED NATIONS PEACE-BUILDING SUPPORT OFFICE IN THAT COUNTRY

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1233 (1999) of 6 April 1999, by which the Council requested me to keep it regularly informed and to submit a report to it by 30 June 1999 and every 90 days thereafter on developments in Guinea-Bissau, the activities of the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS) and the implementation of the Abuja Agreement (S/1998/1028, annex), including the implementation of its mandate by the Monitoring Group (ECOMOG) of the Economic Community of West African States (ECOWAS).

2. The Council may recall that in my first report of 1 July on the situation in Guinea-Bissau (S/1999/741), I gave an account of the events of 7 May that culminated in the ouster of ex-President Vieira and the withdrawal of ECOMOG. In the light of those events and the changed circumstances on the ground, I proposed a modified mandate for UNOGBIS and the establishment of a trust fund in support of that mandate.

3. Following discussion of my report, the Council issued a press statement on 6 July expressing support for my decision to establish UNOGBIS with its revised mandate and to create a trust fund. The Council called on Member States to contribute generously to the fund and to assist Guinea-Bissau in its reconciliation and reconstruction efforts.

4. The present report focuses on the latest developments in the country and the role of UNOGBIS since its deployment on 25 June 1999.

II. CURRENT DEVELOPMENTS

A. Political situation

5. Since the establishment of UNOGBIS there have been a number of positive developments in Guinea-Bissau. The internal political climate has stabilized and the country continues to move in a peaceful and orderly fashion towards the

legislative and presidential elections scheduled for 28 November 1999. The interim President has increasingly assumed the role defined by the Constitution, the day-to-day administration of the country is effectively in the hands of the interim Prime Minister, while the National Assembly has been carrying out its legislative functions. The top hierarchy of the military has reaffirmed their commitment to stay out of politics and to re-orient the armed forces into a more professional service subordinate to civilian authorities.

6. At the international level, there has been, with the help of my Representative, Samuel Nana-Sinkam, a noticeable improvement in relations with neighbouring States and with key international partners. The Embassy of Senegal has fully reopened in Bissau. It is hoped that the imminent arrival of the Ambassador of Guinea to Guinea-Bissau, as well as the forthcoming official visit of the Prime Minister of Guinea-Bissau to Guinea, will further strengthen ties between the two countries.

7. Notwithstanding these positive developments, the internal political situation remains fragile. Government structures and institutions, where they exist, remain feeble. The hold of the interim administration on political power remains somewhat tenuous as many of its senior members were appointed by the military. The amendment of article 5 of the Constitution, which would bar Bissau Guinean citizens who have only one of their parents indigenous to the country from high office, has raised the spectre of intolerance and discrimination. My Representative has been working closely with the transitional Government and other parties to prevent these developments from disrupting the progress achieved thus far.

B. Democratization and the electoral process

8. The presidential and legislative elections scheduled for 28 November constitute a cornerstone for the democratization process and the peaceful management of the transition. In keeping with the mandate of UNOGBIS, my Representative is cooperating with the transitional authorities to help ensure that the elections are held, as scheduled, on 28 November, in an orderly, fair and transparent manner.

9. At the request of the Government, the United Nations is providing, through the United Nations Development Programme (UNDP), technical assistance for the various stages of the electoral process and will be coordinating the observation of the elections. A technical assistance team, comprising a chief technical adviser and experts on electoral informatics, logistics, registration and civic education, has been assisting the National Electoral Commission in the preparation of the elections.

10. Moreover, in order to enhance communication among all political parties and the transitional authorities during the crucial period of the electoral campaign, an informal consultative forum has been initiated by UNOGBIS to facilitate contact between political parties, the National Electoral Commission and the National Statistical Census Institute (INEC). These forums have helped to raise the awareness of all concerned on the importance of constructive

participation in the elections. They have also aided in informally articulating ground rules for the responsible conduct of political campaigns.

11. Fourteen political parties have already been registered by the interim Government for participation in the elections, and some of them have nominated their candidates. The African Party for the Independence of Guinea and Cape Verde (PAIGC), the traditional ruling party, has appointed the current interim President, Malam Bacai Sanha, as its candidate for the presidential elections. The general census and voter registration commenced on 22 August, in accordance with the electoral calendar and was completed in Bissau on 2 September, with 95 per cent of the eligible voters registered. Owing to seasonal and logistical difficulties, the census in the eight provinces took more time than planned, but it has also been completed satisfactorily. The last consignment of electoral materials was received in Bissau on 24 August and has been distributed to the relevant authorities. Presidents of provincial electoral commissions have been appointed and their offices have begun functioning.

12. The National Electoral Commission estimates that, out of the US$ 4.5 million electoral budget, $3.5 million have already been provided by donor countries, in particular by the European Union, the Netherlands and Sweden. Portugal has provided the necessary electoral materials. The authorities are appealing for assistance to raise the remaining resources to ensure the successful completion of the entire process.

C. National reconciliation

13. As the country continues to move from a state of "non-war" to peace, the transitional authorities have reaffirmed that national reconciliation remains a crucial goal for the long-term stability of Guinea-Bissau. The interim President, the Prime Minister and the President of the National Assembly have all reiterated their commitment and determination to pursue national reconciliation. In this regard, the civil society is playing a prominent catalytic role.

14. During the period under review, the self-proclaimed military junta has been increasingly retreating from day-to-day policy-making and from overt participation in the political process. In the spirit of national reconciliation, on 8 July, the military authorities released the 328 remaining prisoners to the civilian judicial authorities, who have expressed their determination to ensure the application of due process of law.

15. To promote the reconciliation process, UNOGBIS has helped to launch a number of initiatives, including the organization of a National Conference on Reconciliation, on 13 and 14 August, in collaboration with various civil society groups and with the support of the Embassies of the Netherlands and Sweden.

16. The conference brought together representatives of a broad spectrum of civil society, including women and youth organizations, the interim administration, the military establishment, trade unions and the diaspora. Participants at the conference engaged in a fruitful dialogue on national reconciliation and post-conflict rehabilitation and the reconstruction of the

country. In a communiqué adopted at the end of the conference, participants expressed their appreciation to the Secretary-General and the international community at large for the deployment of UNOGBIS and for the sustained support they have given to the people of Guinea-Bissau. They also underscored that the return to constitutional normalcy should be based on free democratic elections.

D. Military and security aspects

17. Although the internal security situation in the country is calm, conditions remain somewhat volatile. Small arms are circulating widely among civilian population and acts of banditry are on the rise. The military are still in control and omnipresent, particularly in the provinces, manning roadblocks, checkpoints and milling around in uniform. Because of the lack of an appropriate structure, resources and training, there is no functioning police force; this means that routine law and order duties are left to the military for which they are not properly trained.

18. Against this background, sporadic acts of violence have taken place. One such act was the murder of the former Minister of Justice and Attorney-General, Nicandro P. Barreto, on 22 August. The authorities have launched an investigation into the murder.

19. The disarmament and demobilization programme, which experienced a serious setback after the withdrawal of ECOMOG, is proving difficult to revive. Given the uncertainties associated with this current transition, the population has so far not responded fully to voluntary disarmament. UNOGBIS, with the active support of the World Food Programme (WFP), the Food and Agriculture Organization of the United Nations (FAO) and the Department for Disarmament Affairs is developing a programme of incentives to encourage civilians to surrender voluntarily arms in their possession. Although this programme is at its incipient stage, it has already gained the support of the Mayor of Bissau, who offered 500 lots of land for cultivation as a contribution to the incentive measures developed by WFP and FAO.

20. Externally, the tenuous stability along the border with Senegal, in the wake of the recent upsurge of fighting in the Casamance region, is a major concern for the transitional Government. Another concern is the reported large presence, across the border in Guinea, of armed elements believed to be supporters of former President Vieira.

21. Faced with these internal and external security concerns, the Government has asked the United Nations to consider favourably the deployment of international military observers to monitor the situation along the borders with Guinea and Senegal and provide a measure of confidence among the population during the electoral process.

22. In response to that request, on 26 August 1999, I dispatched a small mission to Guinea-Bissau to assess, under the guidance of my Representative, the security situation and make recommendations on the merits of the request for the deployment of these observers and, if appropriate, on their mandate and strength. The mission met with the acting President, the Prime Minister, the

Chief of Staff of the Armed Forces and other senior government officials, and travelled around the country, including the border areas with Senegal and Guinea. The mission also visited the latter two countries and the Gambia, where they had discussions on the subject with various government officials. The mission has submitted its report, which is under consideration. I shall revert to the Council on this subject as soon as possible.

E. Human rights

23. On the whole, the human rights situation in Guinea-Bissau has continued to improve. To promote respect for human rights and the rule of law, UNOGBIS has been working closely with civil society groups and the offices of the Attorney General, the President of the Supreme Court and the Minister of Justice. To improve due process of law, UNOGBIS is helping with the organization of a training programme for 20 lawyers.

24. Despite its limitations, the Judiciary has been endeavouring to speed up hearings of the 600 political and military prisoners in detention, including the 328 political prisoners handed over by the military following the events of 7 May. International observers have been encouraged by the Government to attend the trials of these prisoners when they commence. However, concern continues to be raised about the sub-standard conditions of the detention of these prisoners. Many of the cells in which they are detained are ill-designed and ill-equipped for extended confinement.

25. In a gesture of national reconciliation, the leader of the military junta, General Mané, met with two imprisoned senior military officers of the former regime in the presence of their families, the Attorney-General and a representative from the Presidency. My Representative and a human rights officer have subsequently visited all the prisoners in order to gain a first-hand appreciation of the conditions of their detention and make recommendations for the improvement of those conditions. The visits were also meant to demonstrate to the prisoners that the international community cares about their fate. My Representative has also encouraged the Government to accelerate the judicial process and ensure that the trials are fair and transparent.

F. Humanitarian situation

26. The humanitarian situation is improving. The programme of assistance in agriculture, thanks to fair donor response, as well as excellent rainfall, is achieving its purpose in all regions of the country.

27. Since my last report, refugees who fled the country continue to arrive from neighbouring States. The Office of the United Nations High Commissioner for Refugees (UNHCR) has indicated that 1,137 out of an estimated 1,572 persons have thus far been repatriated to Guinea-Bissau from Cape Verde, the Gambia, Portugal and Senegal. Many other refugees are returning of their own volition. There are an estimated 50,000 internally displaced persons who have decided to settle, at least temporarily, with host families, thus contributing to the current agricultural campaign.

28. As a result of the destruction caused by the war, many refugees and internally displaced persons have no homes to return to. Less than half of the estimated 5,000 houses destroyed during the conflict in and around Bissau have been rebuilt. Lack of construction materials in the country has delayed the reconstruction. An estimated $4.4 million of humanitarian international assistance is required to resettle the returnees in the country, help them rebuild their lives and assist host families in the countryside to recover after supporting the heavy burden of feeding and caring for internally displaced persons for 11 months. I wish to express my appreciation to those countries who have provided humanitarian assistance and appeal to them and others to contribute to the Consolidated Inter-agency Appeal for Guinea-Bissau.

G. Economic and social aspects

29. During the urgent round table held at Geneva on 4 and 5 May 1999, Guinea-Bissau's development partners endorsed the orientations and priorities set by the Government of National Unity as reflected in the various programmes designed to bring about the consolidation of peace, national reconciliation, democratization and national reconstruction.

30. While the assistance pledged has been slow to materialize, the efforts made by the Government of National Unity with the support of the country's development partners have led to signs of improvement, albeit slight, in the economy. The International Monetary Fund and World Bank missions will make it possible for public finance programmes and private-sector activities to resume. Inflation, which is estimated to be 27 per cent in 1999, remains low for a country emerging from a civil war, especially when compared with the 1997 rate of 49.2 per cent. Rice and gas oil prices are still somewhat high, and registration for the new school year has begun in Bissau.

31. Poverty continues to be a genuine concern, owing to the difficult situation prevailing in the areas of health, education, water supply, energy and housing. The sporadic functioning of fragile government structures poses serious problems for good governance.

III. OBSERVATIONS

32. While undeniable progress has been made since my last report to the Council, the transition process in Guinea-Bissau is still encountering difficulties and many challenges lie ahead in building a strong foundation for sustainable peace. Although the internal security situation remains relatively stable, concerns about the impact of subregional instability in Guinea-Bissau persist.

33. The priority for the people of Guinea-Bissau, with the help of the international community, is to continue to mobilize the political will and resources for promoting reconciliation and respect for human rights and the rule of law, particularly in the absence of a competent judiciary and an accountable and well-trained police force.

34. As can be noted from the report, the mandate assigned to UNOGBIS by the Security Council has enabled it to make contributions in the following four main areas:

(a) Providing support to the process of post-conflict reconciliation and the creation of a climate of confidence and tolerance among all political forces in the country;

(b) Helping to create the most propitious technical and political conditions for the holding of legislative and presidential elections on 28 November 1999;

(c) Promoting constructive and cooperative relations between Guinea-Bissau, its neighbours and its international partners;

(d) Ensuring a coherent and integrated response by the United Nations system and other external partners to the challenges faced by Guinea-Bissau.

35. The further success of UNOGBIS will largely depend not only on the political will and determination of the transitional Government and all the political forces in the country, but also on the availability of resources. it is for this reason that I have set up a trust fund, with the approval of the Security Council. I am grateful to those Member States who have made contributions to the fund and I appeal to those who have made pledges to follow through. The unwavering support of the international community during this critical transitional period is essential for building a sustainable foundation for the return of constitutional order and democracy to Guinea-Bissau.

36. The commitment of the interim Government to ensuring that the elections will take place in free and transparent conditions, and the stated commitment of the military to revert to their normal duties after the elections, bode well for the future of democracy in Guinea-Bissau. The practical demonstration of this commitment by the military junta will be crucial to sustainable peace in that country.

37. It is my hope that the successful completion of the elections will encourage the international community to resume with renewed vigour its cooperation with Guinea-Bissau and contribute to the rebuilding of its state institutions and the reconstruction and rehabilitation of its dilapidated economic and social structures. Our common challenge is to ensure that, in a fragile subregion with various interlocking crises, Guinea-Bissau does not erupt once again.

38. In view of the above, and in order to assist Guinea-Bissau in the fragile post-electoral peace-building period as peacefully as possible, the transitional Government has requested that the mandate of UNOGBIS be extended for one year after its expiry on 31 December 1999. I shall revert to the Council on this issue after consultations with the new Government that will have emerged from the elections of 28 November.

39. I should like to express my appreciation to my Representative, Samuel Nana-Sinkam, and to the staff of UNOGBIS, who worked tirelessly to establish the Office and who have already made notable contributions to Guinea-Bissau's post-conflict peace-building efforts.